

Message Text

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64

ACTION SCSE-00

INFO OCT-01 H-02 ISO-00 PASS-00 /003 W

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P 302346Z JUL 76

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC PRIORITY 6510

UNCLAS MEXICO 9824

H PASS TO SENATOR LAWTON CHILES LAKELAND, FLORIDA

FOR SENATOR CHILES FROM AMBASSADOR JOVA

E.O. 11652: N/A

TAGS: CASC, MX (BROWN, ROBERT)

SUBJ: SEIZURE IN MEXICO OF CESSNA AIRCRAFT N-50288, PROPERTY OF
ROBERT BROWN

REF: SENATOR LAWTON CHILES' TELEGRAM RECEIVED JULY 21, 1976

1. YOUR TELEGRAM OF JULY 21 AND LETTER OF JULY 16 REQUESTED
A REPLY AS SOON AS POSSIBLE REGARDING STEPS YOUR
CONSTITUTENT, MR. ROBERT BROWN OF WINTER HAVEN, FLORIDA,
MIGHT TAKE TO RECOVER AN AIRCRAFT SEIZED BY THE MEXICAN
GOVERNMENT.

2. IF MR. BROWN CAN ESTABLISH THAT THE AIRCRAFT IN QUESTION
WAS STOLEN, EMBEZZLED, OR ILLEGALLY CONVERTED, AND THAT
A TIMELY REPORT WAS MADE TO THE POLICE HAVING JURISDICTION
AT THE PLACE OF THE CRIME, HE MAY FILE CLAIM FOR RECOVERY
OF THE AIRCRAFT UNDER THE CONVENTION BETWEEN THE UNITED
STATES AND MEXICO FOR THE RECOVERY AND RETURN OF STOLEN OR
EMBEZZLED AUTOMOBILES AND AIRCRAFT. ON MARCH 16 THE
EMBASSY FORWARDED TO MR. BROWN INSTRUCTIONS FOR
CLAIMING RECOVERY UNDER THE CONVENTION, AND A LIST
OF THE DOCUMENTS REQUIRED TO SUPPORT A CLAIM. THE
DOCUMENTS SHOULD BE SENT TO THE EMBASSY FOR PRESEN-
TATION TO THE MEXICAN AUTHORITIES THROUGH DIPLOMATIC
CHANNELS, AND THE EMBASSY WOULD THEN PURSUE THE
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CLAIM ON MR. BROWN'S BEHALF. MR. BROWN NEVER

REPLIED TO THE EMBASSY'S LETTER OF MARCH 16, THUS
WE ARE SENDING HIM A SECOND LIST AND INSTRUCTIONS IN
CASE HE DID NOT RECEIVE THE FIRST.

3. IF MR. BROWN DOES NOT WISH TO PURSUE A CLAIM FOR
RECOVER UNDER THE CONVENTION, HE WILL NEED TO ARRANGE
FOR AN ATTORNEY TO ASSIST HIM IN ATTEMPTING TO RE-
COVER HIS AIRCRAFT BY OTHER MEANS. THE EMBASSY IS NOT
ABLE TO PROVIDE THIS TYPE OF ASSISTANCE. FOR THIS
PURPOSE, HE MAY WISH TO REACH AGREEMENT BETWEEN THE
PILOT OF THE AIRCRAFT, AND THE ATTORNEY WHO HAD BEEN
HANDLING THE CASE, LIC. LUIS GARZA VALDEZ, REGARDING
THE PAYMENT LIC. GARZA HAS REQUESTED. LIC. GARZA
ADVISES THAT EVEN THOUGH THE PLANE HAS BEEN RELEASED
BY TWO COURTS, MEXICAN FEDERAL CUSTOMS AUTHORITIES
CONSIDER THAT IT IS CONTRABAND, HAVING BEEN BROUGHT
INTO THE COUNTRY ILLEGALLY AND WITHOUT PAYMENT OF
DUTIES, AND ARE MOVING TOWARD CONFISCATION OF THE
AIRCRAFT UNDER NONJUDICIAL ADMINISTRATIVE PROCEDURES.

4. PLEASE LET ME KNOW IF ANY FURTHER INFORMATION OR
ASSISTANCE MAY BE NEEDED IN THIS MATTER.
JOVA

NOTE BY OCT: MEXICO 9824 PASSED ABOVE.

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